

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

LEE WILLIAMS,

Plaintiff,

v.

9:10-CV-635

D.E. LaCLAIR, *Superintendent,*
Franklin Correctional Facility;
S. BROWN, *Deputy Superintendent*
for Security; N. ARMSTRONG,
Nurse Administrator, JANE DOE,
Mailroom Supervisor,

Defendants.

THOMAS J. McAVOY
Senior United States District Judge

DECISION and ORDER

This matter brought pursuant to 42 U.S.C. § 1983 was referred to the Hon. Randolph F. Treece, United States Magistrate Judge, for a Report-Recommendation pursuant to 28 U.S.C. 636(b) and Local Rules 72.3(c).

No objections to the December 20, 2011 Report-Recommendation have been raised. After examining the record, this Court has determined that the Report-Recommendation is not subject to attack for plain error or manifest injustice. Accordingly, the Court adopts the Report-Recommendation for the reasons stated herein.

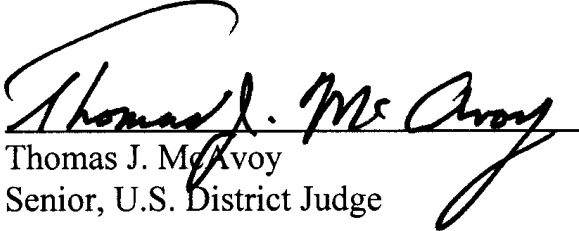
It is, therefore, ORDERED that:

Defendant's Motion to Dismiss is granted in part and dismissed in part as follows:

1. Granted, as to claims against all Defendants regarding an informal custom or policy;
2. Granted, as to claims of Eighth Amendment medical indifference against Defendant Armstrong and she is dismissed from this action;
3. Denied, as to claims of retaliation against Defendants LaClair and Brown; and
4. The claims against Defendant Jane Doe are dismissed in their entirety.

IT IS SO ORDERED.

Dated: February 10, 2012


Thomas J. McAvoy
Senior, U.S. District Judge